

REMARKS

Claims 1-36 and 38-41 are now present in the case. The Examiner rejected claims 1-42. Applicants have amended claims 1, 7, 8, 10, 26, 30-36, and 38-41. Previously numbered claim 37 has been canceled. Applicants now request reconsideration and allowance of claims 1-36 and 38-41.

Consideration of the application in view of the above amendment and the following remarks is respectfully requested.

Specification

In paragraph 2 of the office action, the Examiner reminded the Applicants of the proper length for the abstract of the disclosure. The abstract has been amended such that its length is now within the range of 50 to 150 words as requested by the Examiner.

Claim Objections

In paragraph 3 of the office action, the Examiner objected to the claim as not being numbered in accordance with 37 CFR 1.126. Misnumbered claims 30-36 and 38-41 have been renumbered as claims 31-37 and 39-42 as requested by the Examiner.

Claim Rejections - 35 USC § 112

In paragraph 4 of the office action, claims 32, 33, 36, 37, 38, 39, 41, and 42 were rejected under 35 USC § 112 due to a lack of antecedent basis based on the error in ordering. Claims 32, 33, 36, 38, 39, 41, and 42 have been amended to reflect proper dependencies. Applicants submit

that claims 32, 33, 36, 37, 39, 41, and 42 now have proper antecedent basis and request that the rejection under 35 U.S.C. § 112 be withdrawn.

Claim Rejections - 35 USC § 101

In paragraph 7 of the office action, claims 7, 8, and 10-42 were rejected under 35 U.S.C. § 101 because the language of the claims allegedly raised a question as to whether the claims are directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101. Claims 7 and 8 have been amended to clarify their relationship to a particular apparatus for storage and manipulation of objects. Claims 10-36 and 38-41 have been amended to clarify their relationship to a computer implemented method. Based on the above amendments, Applicants submit that the rejection of the claims under 35 U.S.C. § 101 has been overcome and request that it be withdrawn.

Claim Rejections - 35 USC § 102

In paragraph 8, claims 1, 2, 4-7, 9-12, 16-34, and 40 were rejected under 35 U.S.C. 102(e) as being anticipated by Anderson (“Anderson”, US 6,499,016). This rejection is respectfully traversed.

These claims provide for the direct multi-modal annotation of media objects. Independent claims 1, 7, 9, 10, and 26 variously recite: “automatically creating an annotation object, independent of the image, that associates the input audio signal and the image.”

The claimed invention is particularly advantageous because it provides direct annotation of images. The system automatically creates the annotation object, associates the annotation

object with the selected images, and displays either a graphic representation of the annotation object or a text translation of the audio input. Annotation objects are particularly advantageous because they allow the user to search and retrieve images based on audio input alone. The use of annotation objects also provides a richness of expression that is not available in conventional annotation systems when particular images and information are associated with the annotation object.

The independence of annotation objects from the images they are associated with is beneficial for several reasons. For example, the annotation objects can be deleted without deleting the original image. Also, annotation objects occupy significantly less memory space than the original images, thus allowing the annotation objects to be transmitted to and from various locations without the need of transmitting the cumbersome original images. These aforementioned benefits allow for easy and efficient categorization, search, and retrieval of images without manipulating or disturbing the original image files.

Anderson, on the other hand, discloses in column 3, lines 10-15, a system for categorizing images on a camera by speaking into a microphone and producing a voice annotation corresponding to a particular image. Each voice annotation is translated into a text annotation. The text and images are stored in an album. Anderson does not disclose creating an annotation object, independent of the image, that associates the input audio signal and the image (emphasis added), as variously recited in claims 1, 7, 9, 10, and 26. Anderson simply discloses that voice annotations are associated and stored as part of image files in column 3, line 13 and Figure 3A, but there is no discussion within Anderson regarding creating an annotation object, independent of the image, that associates an input audio signal and an image. For at least this reason, claims

1, 7, 9, 10, and 26 and those claims, 2-6, 11-25, and 27-38, that depend from claims 1, 7, 9, 10, and 26 are considered allowable.

In paragraph 9, claims 35-39 were rejected under 35 U.S.C. 102(b) as being anticipated by Lin ("Lin", An Ink and Voice Annotation System for DENIM).

Currently amended independent claim 35 recites:

35. A computer implemented method for displaying objects with annotations, the method comprising the steps of:

- retrieving an image;
- displaying the image with a visual notation that an annotation exists;
- receiving user selection of an image;
- outputting a notation associated with the selected image;
- determining whether the annotation includes text;
- retrieving a text annotation for the selected image; and
- displaying the retrieved text with the image.

Lin is directed towards a system for annotating a design of a web site. The annotations are specifically voice and iconic annotations as disclosed in Figure 4. Lin shows how a web designer could annotate a web page design with a particular icon that represents a voice annotation. Lin does not disclose retrieving a text annotation for the selected image and displaying the retrieved text with the image (emphasis added), as recited in claim 35. Lin strictly discloses only annotating an image of a webpage with a symbolic icon. There is no disclosure within Lin regarding associating text annotation with the displayed webpage image. For at least this reason, claims 35-39 are considered allowable.

Claim Rejections - 35 USC § 103

In paragraph 11, claims 3, 8, 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson ("Anderson", US 6,499,016) in view of Lin ("Lin", An Ink and Voice Annotation System for DENIM). Claims 41 and 42 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Anderson (“Anderson”, US 6,499,016). The Examiner contends that Lin teaches an annotation audio output module generating audio output in response to user selection of an annotation symbol representing the annotation object. The Examiner admits that Anderson does not disclose an annotation audio output module generating audio output in response to user selection of an annotation symbol representing the annotation object, but contends that it would be an obvious modification of Anderson, in view of Lin, to do so.

Currently amended independent claim 8 recites:

8. An apparatus for direct annotation of objects for use with a system for storing, accessing, and presenting objects such as video objects, text objects, audio objects, or image objects, the apparatus comprising:

a direct annotation creation module coupled to receive an input audio signal and a reference to an image, the direct annotation creation module creating an annotation object, independent of the image, that associates the input audio signal and the image, the annotation object including at least an audio input field, an image reference field, and an annotation location field; and

an annotation audio output module coupled to the direct annotation creation module, the annotation audio output module generating audio output in response to user selection of an annotation symbol representing the annotation object.

Anderson discloses in column 3, lines 10-15, a system for categorizing images on a camera by speaking into a microphone and producing a voice annotation corresponding to a particular image. Each voice annotation is translated into a text annotation. The text and images are stored in an album. Anderson does not disclose creating an annotation object, independent of the image, that associates the input audio signal and the image (emphasis added), as recited in claim 8. Anderson simply discloses that voice annotations are associated and stored as part of image files in column 3, line 13 and Figure 3A, but there is no discussion within Anderson regarding creating an annotation object, independent of the image, that associates an input audio signal and an image.

Lin does not remedy the deficiencies of Anderson. Lin is directed towards a system for annotating a design of a web site. The annotations are specifically voice and iconic annotations as disclosed in Figure 4. Lin does not disclose “creating an annotation object, independent of the image, that associates the input audio signal and the image, the annotation object including at least an audio input field, an image reference field, and an annotation location field (emphasis added),” as recited in claim 8. Lin merely annotates text on a website with a voice annotation as disclosed on page 3, lines 14-19. There is no disclosure within Lin regarding creation of an annotation object, independent of the image, having at least three data fields that associate audio input to an image. For at least this reason Anderson and Lin, alone or in combination, do not disclose the claimed invention as recited in claim 8.

Furthermore, there is no suggestion within Anderson or Lin to combine these references due to the fact that Anderson and Lin are trying to solve different problems. Anderson is concerned with modifying image files, like those generated by a digital camera, by annotating them with an audio input at the time the images are created such that the images can be properly arranged. Lin discloses a system for annotating a webpage with an iconic symbol, representing a voice annotation, during various stages of development of the webpage. To apply the methods of Anderson to the methods of Lin would result in deterioration of the webpage being developed in Lin. Lin teaches non-invasive annotation while Anderson teaches an invasive annotation technique that results in a drastic manipulation of the image being annotated. These two techniques are non-analogous. Therefore, a skilled artisan would not be motivated to combine these references.


Claims 3, 13-15, 41, and 42 depend upon claims 1, 10, and 40 respectfully. Claims 3, 13-15, 41, and 42 are allowable based on their dependence upon claims 1, 10, and 40 for at least the

reasons stated above and also because of the other patentable features each of these claims recites.

In view of the foregoing arguments, Applicant respectfully submits that the claims presently in this case are now in condition for allowance. Reconsideration and prompt favorable action are therefore solicited.

Respectfully submitted,
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Dated: 3/30/05

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